श्री जगदम्बी प्रसाद यादव : हम लोगों का जवाब रह गया है... **(व्यवधान)** कोई जवाब नहीं आया है। हमको जवाब ही नहीं मिला, तो इनके कहने का क्या अर्थ रहेगा।...

SHRI BUTA SINGH: I have tried to cover all the major points. If the hon. Members feel that certain more clarifications are needed, I will write them back. With these words, I once again express my gratitude to the hon. Members for having devoted so much of time for the interests of the farmers. I agree to their suggestions.

THE DEPUTY CHAIRMAN: We have four minutes. The Home Minister will now make his statement.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): What about Special Mentions?

THE DEPUTY CHAIRMAN: Afterwards. The Home Minister has to make a statement at 4.30 P.M.

STATEMENT BY MINISTER
Anti-reservation agitation and communal incidents in Gujarat

THE MINISTER OF HOME AFFAIRS (SHRI S. B. CHAVAN): Madam, As the House is already aware, an agreement was reached on 18th July, 1985 between the Akhil Gujarat Vali Mahamandal and Akhil Gujarat Navrachna Samiti on the one hand, and the State Government of Gujarat on the other hand, as a result of which the five month old anti-reservation agitation in Gujarat was withdrawn by these organisations. Earlier, after the induction of the new Government in Gujarat on 6th July, 1985, State Government had taken series of measures to defuse the situation in Gujarat. As a result of the State Government's initiative, the above mentioned agreement was arrived at.

As the House is aware, the agitation started from the middle of February, 1985 on a peaceful note By the end of April, this agitation took a complex turn with caste and communal factors completely overshadowing the stir. Since the beginning of the agitation till 23rd July, a total of 237 persons have lost their lives so far including 93 in Police/Army firing. Of these 201 persons were killed in communal or communally related incidents. Nearly 1801 persons have been injured in over 1230 violent incidents connected with the anti-reservation/communal agitation. The main concentration of the agitation, however, remained confied to the urban sectors like Ahmedabad, Baroda, Surat and pockets of Kaira and Mehsana districts. Upto the end of May 1985, in Ahmedabad alone, Rs. 58 lakhs have been spent on relief and rehabilitation measures.

While during the months of May and June, the anti-reservation agitation had been itensified and 'Jail Bharo Andolan' and 'No Tax campaigns' were announced, there was no let up in the incidents of mob violence by the communal and casteist forces which got intervened with anti-reservation stir. Police had to intervene with heavy hand to control the disturbances with frequent bursting of teargas shells.

The new Ministry which took over on July, 6, initiated some fresh steps towards negotiated settlement with the agitation leaders as also with the striking employees. Simultaneously, the schools throughout the State were opened on July 7 and holding of the postponed Secondary and Higher Secondary examinations for the last academic year was also announced. In view of the easing of the situation, the State Government also decided to withdraw the Army w.e.f. 16th July from Ahmedabad and Baroda. Four additional companies of C.R.P F. were inducted to take over the law and order duties from the Army in Ahemadbad and Baroda.

On July, 18, the leaders of Vali

[Shri S. B. Chavan]

Mahamandal and Navrachana Samiti reached a settlement with the Cabinet Sub-Committee of the Gujarat Government. It was agreed that :—

(i) 18 per cent enhanced reservation quota would not be implemented under any circumstances till a national consensus is reached;

(ii) The existing 10% quota for B.Cs due to expire in March 1988 would be reviewed by a Commission consisting of one sitting and 2 retired High Court Judges by 1987; and

(iii) A Judicial Commission would enquire into the violence and other disturbances in the State since February, 1985 and submit its report within a period of 6 months.

The agreement, however, has evoked a sharp reaction from some hardliner student leaders. The hardliners have formed a new Vali Mahamandal and are continuing their agitational approach. Their calls for Bandhs in Ahmedabad, Bhavanagar and Sabarkantha on July 22 and 24 were not particularly successful. The State Government employees also have not withdrawn their strike yet. The situation in districts like Baroda, Bhavanager, Kaira and Mehsana has started showing some improvement though Baroda and Ahmedabad have continued to be affected by communal violence.

In fact, in Ahmedabad, situation took a turn for the worst on July 17 with the outbreak of communal violence and frequent attacks on Police by violent mobs in Kalupur and Dhariapur police station areas which gradually spread to Jamalpur and Shahpur areas also. Fire-rags, crude bombs, stones, were freely used and there were many incidents of stabbings. Curfew was imposed in these areas and police patrolling intensified. The situation continued to remain disturbed till 21st July though thereafter reports of stray incidents of stabbings and bombing have come in. In this latest spell of violence, 34 persons lost their lives till 23rd July, 1985. 14 persons were killed due to police firing while 9 were killed due to stabbing and 11 persons due to other reasons. 124 persons were injured. The police fired 208 rounds and burst 254 teargas shells during this period.

The communal situation in the State has remained disturbed since March this year. It is still fragile. The communal violence has been mostly witnessed in Ahmedabad and Baroda. The continuing clashes have accentuated mutual distrust between the two communities as a result of which petty incidents have often led to mob-reaction on communal lines resulting in serious incidents. Apart from the traditionally communally sensitive areas of the walled city, the outer limits of the Ahmedabad were also affected by communal trouble causing extensive damage to property. Baroda city was another endemic centre of communal violence during the last two months particularly since June 28. Other districts affected by communal virus were Jamnagar, Rajkot, Panchmahal, Sabarkantha, Broach, Kaira, Junagadha, Surat, Gandhinagar and Mehsana.

The State Govt. is fully seized of the situation and is taking necessary steps to bring the State back to normalcy. The State Govt. has started combing up operations, intensive sea arches and preventive arrests of anti-social and criminal elements etc. The State Govt. is contemplating a series of measures to bring the situation under control and in this connection the Chief Minister has already announced the possibility of imposing a punitive tax in the areas habitually prone to communal violence. The situation has been considerably brought under control. However, because of the intense distrust between the communities, the situa-

tion is still sensitive and needs contant watch.

In the past also, this House has shared our feelings that all violence must be condemned. All sections of the society and all political parties must act in a way to contribute to the restorations of the normalcy. After the agreement there is no cause for any further protest. The conciliatory moves by State Govt. need to be appreciated. I am sure, House will join me in making a fervent appeal to all sections of the society to eschew violence, shed distrust and work wholeheartedly for the restoration of normalcy.

THE DEPUTY CHAIRMAN: Now, before I ask Members to stand for clarifications, I think they should be very brief because we have ten Members who want to seek clarifications if each one of you are going to make a long statement, we will take time and we have not yet started the legislative business for the day. Yes, Mr. Dhabe.

Mr. Dhabe is always brief and I need not remind him about the time.

AN HON. MEMBER: That is why you asked him to speak first.

THE DEPUTY CHAIRMAN: No, sent his name first.

SHRI S. W. DHABE (Maharashtra): Madam Chair-person, this is a very agonising situation in Gujarat, the land of Gandhi where violence is at its peak. It is a matter of concern to the entire country and my party joins in the appeal with the hon. Minister that peace must be restored in Gujarat and problems should be solved across the table.

Madam, the main answers to the questions which I would like to have from the hon. Minister are three. First of all, I would like to know what does he mean by national consensus. because this is again keeping the problem pending for a long time? Different people are interpreting it in different ways. One interpretation is that the question is open to review. National consensus should not mean that we are doing away with the reservation. Does the extension of reservation mean that it will stay for those communities for which it is available now and that it may be extended further to those communities which are economically backward, backward areas, or some backward communities, socially or educationally backward as indicated by the Mandal Commission. I would like to know from the Minister whether they are firm on the question of continuance of reservation which is existing today in respect of all the communities which are benefiting from it. The national consensus should not mean that we are going to do away with the reservation. Madam, I would also like to know what the position is about the extension. In the Approach Paper to the Seventh Five-Year Plan the Government has indicated that they are going to review the situation. Therefore, my question is what does he mean by the national consensus. Does it also include abolition of reservation or will the reservation continue and by way of extension some more communities and classes will be added?

Secondly, Madam, I would like to request the Minister to appoint immediately a judicial inquiry commission in all the riots and police firings. There was, in fact, a recommendation made that whenever a police firing takes place and people are killed, there must be a judicial inquiry to inquire into the matter in order to see that the excesses are curbed.

Thirdly, I would like to know from the hon. Minister whether any compensation is proposed to be paid to the descendants of the people who have died in the incidents and also whether there is any question of compensation being considered for newspaper offices which were attacked or damaged or for the damaged

[Shri S. W. Dhabe]

property of innocent persons. The entire statement is silent on these issues. I would like to know what steps the Minister is taking for compensating the properties damaged or lost.

उपसभापति: श्री वीरेन्द्र वर्मा... नहीं हैं...श्री दीपेन घोष ...

श्री सुशील चन्द्र मोहन्ता (हरियाणा): मेरा नाम है, लिखकर दिया है. उसमें वीरेन्द्र वर्मा जी ने दस्तखत किए हैं... **(व्यवधान)**... इसमें मेरा नाम लिखकर दिया है।

उपसभापति: मेरे पास जो कागज है, उसमें आपका नाम नहीं है...

श्री सुशील चन्द्र मोहन्ता: वे लीडर आफ दी पार्टी हैं, उन्होंने लिखकर मेरा नाम दे दिया है। तो भी उनका नाम आप लेंगे ....

उपसभापति: यह आप सेक्रेटेरियेट से कहिए, मुझसे मत कहिए. **(व्यवधान)**.

श्री सुशील चन्द्र मोहन्ता: एक दिन पहले भी यह हुआ था और मैंने पहले भी कहा था कि पढ़ना चाहिए उस कागज को।

उपसभापति: बोलिए आप।

श्री सुशील चन्द्र मोहन्ता: मेडम, सबसे पहले मैं आनरेबिल होम मिनिस्टर से यह पूछना चाहूंगा कि आपने यह तो बता दिया कि अशांति की स्थिति गुजरात के अंदर पैदा हो रही है। आपने इसका अंदाज भी लगाया, इसकी कोई जांच भी करके अपना दिमाग लगाया, आप किसी निर्णय पर भी पहुंचे हैं कि इसकी शुरुआत कैसे हुई? क्योंकि अब तो जो स्थिति है गुजरात के अंदर उससे आप यह नहीं कह सकते कि यह रिजेर्वेशन और एण्टी रिजर्वेशन के ऊपर ही झगड़ा फसाद चल रहा है। इस समय कम्युनल डिस्टर्बेन्स बहुत मार्केड है, कास्टिज्म है, बहुत मार्केड है, जिनका एण्टी-रिजर्वेशन से कोई ताल्लुक नहीं है। एक चीज यूनेनीमस है कि जो पिछड़ी जाति हैं, जो हरिजन वर्ग है, जो सदियों से पिछड़े हुए हैं, उनको पूरी तरक्की करने का मौका नहीं दिया गया है। इन जातियों के लिए कुछ अर्से तक और रिजर्वेशन चालू रहना चाहिए, यह प्रोवीजन कंस्टीट्यूशन में भी है। मंडल कमीशन एप्वाइन्ट हुआ, उसने भी यह रिपोर्ट की कि कुछ और जातियां भी है जिनको रिजर्वेशन की केटगरी के अन्दर लाना चाहिए। आज जो गुजरात में सिचुएशन पैदा हुई है और एण्टी-रिजर्वेशन स्ट्रगल के बजाये कम्युनल झगड़ा शुरू हो गया है इसका जिम्मेदार कौन है। जब इस झगड़ की शुरूआत हुई थी उसी समय गवर्नमेंट आफ इंडिया को एक्शन लेना चाहिए था। लोगों ने जोर-जोर से डिमांड की कि यह चीफ मिनिस्टर इस काबिल नहीं है कि लॉ एंड आर्डर को मेन्टेन कर सके, इसको हटाया जाना चाहिए। उस समय तो हटाया नहीं गया। जब सब चीज बिगड़ गई, सामान्य स्थिति आ नहीं सकती थी, तब आपने इसको हटा कर उसी का प्रिजेडेटिव नामिनेट कर दिया। वह कड़ी टूटे और सामान्य स्थिति पैदा हो वह हालत आपने पैदा नहीं होने दी। आज स्थिति यह है कि 18 तारीख का एग्रीमेंट होने के बावजूद गुजरात जल रहा है, आग लगी हुई है, कहीं भी संतोष की सांस नहीं ले सकते। हालात ऐसे रुड़ड़ हो गए है कि कांस्टीट्यूशनल मशीनरी फेल हो गई है। यह जरूरी थोड़े ही है कि एक पार्टी बहुमत में आ गई है तो पांच साल तक उसी का टिपिकल रूल जारी

रहेगा । अगर एक सरकार फेल हो चुकी, ला एंड आर्डर को मैंटेन नहीं कर सकती तो उसको हटा कर फ्रश मैंडेट लिया जाये ।

कुमारी कुमुदबेन एम० जोशी (गुजरात) : वहीं तो आप करना चाहते थे, पर कर नहीं पाये ।

श्री सुशील चन्द्र मोहन्ता : यह हमारा कराया हुआ नहीं है । मेम्बर साहिबा जोर से बोल रही हैं, हम ने यह नहीं किया, हमने कोशिश की है कि झगड़ा समाप्त किया जाये । लेकिन आपकी ही पार्टी के लोगों के दो-तीन गुट बने हुये हैं, वही आग लगाते है, झगड़ा करते हैं । ऐसी परिस्थिति में मैं एक प्रश्न पूछना चाहता हूं--क्या आप इस पर विचार करने को तैयार हैं कि आपकी जो वहां की सरकार है वह लोगों का मेंडेट फोरफीट कर चुकी है, उसको हटा-कर प्रेसिडेंट रूल कायम किया जाएगा, चाहे वह कुछ अरसे के लिए किया जाये और उसके बाद इलेक्शन करवाए जायें । क्या आपने इस चीज की जांच की है कि झगड़े की शुरूआत कैसे हुई और कौन लोग इसके पीछे हैं, उनके खिलाफ कोई कार्यवाही आपने आज तक की ? क्या यह फैक्ट नहीं है कि वहां की कांग्रेसी सरकार ने जातिवाद का जहर लोगों में फैलाने में बहुत बड़ा भाग लिया ? आपने इसके खिलाफ क्या कदम उठाये ? मैं एक बात और पूछता हूं । पंजाब के मामले में आपने एनाउंस कर दिया कि जिन लोगों का नुकसान हुआ है चाहे धन का, सम्पत्ति का, चाहे जान का, उनको मुआवजा बड़े खुले दिल से देंगे । क्या गुजरात के बारे में आपके मन में ऐसी कोई योजना है कि जिन लोगों का नुकसान हुआ है, चाहे सम्पत्ति का, चाहे जान-माल का, उनको आप पूरा मुआवजा देंगे ? यह इतनी अहिंसक, पीसफुल स्टेट थी, सारे हिन्दुस्तान का मूवमेंट वहां से चला, राष्ट्र-पिता वहीं के थे । वहां यह होना शर्म की बात है । मैं आपसे इन प्रश्नों के उत्तर स्पष्ट तौर पर चाहूंगा, क्या आप इन मुद्दों पर सोचने को तैयार हैं या उसी ढंग से जैसा पहले चलता आया है चलता रहेगा ।

SHRI DIPEN GHOSH (West Bengal): Madam Deputy Chairman, I wonder why this statement has been made by the Home Minister today. If it is only in order that we should join him in making a fervent appeal to all concerned to eschew violence and help in restoring peace, then, of course, I join with others in expressing my concern and anguish at the loss of life and the violence which is continuing in Gujarat. But I cannot agree with the Home Minister—as is implict in his statement—when he gives the State Government a free chit or absolves it of all responsibilities. I am saying so because in this statement it has not been mentioned as to why this situation arose in Gujarat, what the reasons were behind it. Actually in the statement certain language has been used, that is, "because of the intense distrust between the communities, the situation is still sensitive and needs constant watch." But the question is, why did the intense distrust between the communities arise? Certainly, there were some actions as a result of which certain things started happening. What were those actions? Take this reservation policy. There are certain constitutional obligations on the part of the Central Government and the State Government so far as the reservation policies are concerned, but we have seen how these policies distorted in some places and abused and misused in certain other places, and by that a situation was sought to be created where by this type of distrust between the communities had arisen. So, I would have been happy if the Union Home Minister had called upon the Parliament to discuss this particular issue of reservation which resulted into this situaton. This is necessary to arrive at a national consensus. Where is that effort or exercise on the part of the Central Government to arrive at a national consensus on this particular issue?

Secondly, what is the purpose of reservation? How many jobs could you provide, or how many seats could be given in schools, colleges or institutions? Even by taking recourse to a reservation policy what could you achieve? Even if there was a reservation policy for 20 per cent or 30 per cent or 60 per cent, how many

[Shri Dipen Ghosh]

people could be given jobs or how many students could be given admissions in the institutions? Unless the whole problem is looked at fundamentally, unless the question of economic reforms, the question of structural reforms is taken into consideration, simply by looking at this problem from the narrow point of view of reservation will not help. What is happening as a result of this? Ruling party is trying to use it with a narrow political gain or electoral gain. That is why this type of situation is arising. The question of economic reforms of restructuring of the economic pattern has to be gone into.

It is good that the hon. Minister has made this statement but, at the same time, I would like to know, will he kindly tell us whether during this session Parliament will be called upon to discuss on this situation in detail and have a national consensus on it.

SHRI M. S. GURUPADASWAMY (Karnataka): Madam Deputy Chairman, I have a feeling that the situation in Gujarat has not been handled tactfully, wisely and with foresight by the State Government as well as by the Centre. When the agitation was started, I expected that the Government in Gujarat would have a correct assessment of the situation because the issue, the question raised by the agitators was so sensitive, indeed complex that it required a lot of sagacity and lot of understanding on the part of administration there. I find that the Government had singularly failed in assessing the situation and also failed in anticipating the situation. The result was, we had to witness for 5 months a great tragedy which took a toll of more than 200 people. Nearly 1800 people have been injured; besides a lot of property has been destroyed. More than all that, there has been complete shake-up of Gujarat's life. Nobody is safe there; nobody is secure. The Government had to use the army and even then normalcy could not be restored.

Now, Madam, the State Government on July 6th have reached an agreement with the agitators. That is what the statement says. The most crucial point is reservation and the agreement begins with that. I expected the Home Minister to shed some light on the various issues, the various aspects of reservation and the thinking of the State Government, the thinking of the Centre here. We are not aware about the thinking except that we have heard from the Prime Minister when we met him that the reservation issue has to be thought *denovo*. I say yes; it has to be thought afresh because many factors have been involved in this. But till now we do not know the thinking of the Government in this matter. This is the basic issue. I expected the Home Minister would in his statement say something about reservation about the thinking of the Government, the approach, the strategy that he would like to adopt. I do not want a debate to be started all of a sudden in the House. I concede that because it is a very complicated matter. I wish the Home Minister and the Prime Minister would take the leaders of opposition into confidence, discuss with us the various nuances, the various issues, the various complexities involved in the reservation because we have been having reservation for the last 35 years and I think this requires a review, this requires re-consideration. This requires a new approach, a new strategy. I am very sorry the statement does not contain anything about this.

Lastly, the statement by the Prime Minister makes an appeal to all sections of this House that we should cooperate with him, associate ourselves with him in discouraging, condemning violence. Nobody in this House would like violence. Nobody in this House would like the spread of unrest in Gujarat or anywhere. And I welcome the initiative of the Home Minister so far as this is concerned. Nobody in this House would be a party to any violent actively, any violent agitation. But I have to say that in spite of this agreement, in spite of this arrangement reached between Government and the agitators, the agitation is going on and continuing. There have been incidents. My fear is that this settlement has not brought about complete normalcy in Gujarat. I think far more important.....

THE DEPUTY CHAIRMAN: Please conclude now.

SHRI M. S. GURUPADASWAMY: is the restoration of normalcy, peace and tranquility in Gujarat.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh) : Madam Deputy Chairman, I also wonder what is really the provocation for the Home Minister to come before the House today with this kind of a statement which does not contain anything new apart from what we read in the newspapers. The mess in Gujarat has been created by his own party, by his own Chief Minister who should have been sacked long long ago. But they dithered there and they allowed the situation to deteriorate. If the intention of the Home Minister today is to enlist our good wishes for the success of his mission in the future, he has them and he has always had them. If his intention is to enlist our cooperation in clearing the mess there, yes, we are ready to cooperate with you there also. If you want us to join him in the fire-fighting operations there—the State has been put on fire by Solanki digging out a very old report of the Rane Commission —of course, he can do so, but he has a more able aide beside him who can go and add fuel to the fire as he has done recently in Andhra Pradesh. She can do the job better. He can depute her there. I will come to her later when I make a Special Mention. But, really if the Central Government has been sincere about solving the Gujarat problem, we made several suggestions in the past as to what should be done there and how the problem should be tackled. But the Government never came before the House with a serious proposition as to how they want to tackle the problem there apart from tackling it as a law and order problem. It is much more than a law and order problem; it is a very sensitive issue which affects a large number of people in this country, on which emotions are roused very often Instead of tackling that problem as such, it is always treated as a law and order problem. It is very unfortunate.

We had the occasion to discuss the subject with the Prime Minister in the past. He himself volunteered to evolve a national consensus on this issue and we have been waiting all these months when he would call such a meeting and evolve a consensus. It is high time that the Prime Minister and the Home Minister take steps in that direction, and I would like to know from the hon. Home Minister when he would try to initiate such a dialogue for a national consensus. Thank you.

SHRI V. GOPALSAMY (Tamil Nadu): Madam Deputy Chairman, it is most unfortunate that the birth-place of the Apostle of Ahimsa is facing a blood-bath for the past few months. The Government which had promised, or, the party which contested in the elections had promised, 18 per cent bonus for the backward classes, was compelled by the agitators and that Government, I am sorry to say, had to bow its head to the diabolical conspiracy of the agitators, those who were thrown out in the elections—certain sections—who deliberately took up this reservation issue. This is not an issue on which we will compromise because it is spreading like a bush-fire from Gujarat to all parts of the country. They say there should not be reservation for the backward classes and that it should be reviewed. From some quarters I have heard the noise and certain quarters have raised a hue and cry about economic backwardness and merit. But, have you forgotton another system of reservation which was practised for centuries? That is, certain places were reserved where these backward class people could not enter, certain places were reserved where these backward class people could not go and even have their lunch? That is why the great champion of social justice, Periyar Ramaswamy, came out of the Congress in 1926. (*Time bell rings*)

Madam, kindly bear with me. Only
5 P.M. two, three minutes, you please give me because this has become an issue on which they say that they need a review, that a consensus should be evolved. But we should not forget...

THE DEPUTY CHAIRMAN: Excuse me. Just a minute. We are not having a debate.

SHRI V. GOPALSAMY: Kindly give only two minutes.

THE DEPUTY CHAIRMAN: Listen to me. Don't get excited. There is nothing to get excited. We are not having a debate on reservation. We are only asking clarifications about Gujarat. Please confine yourself to Gujarat and do not go out of that State because this will never end. It is such an issue that we can sit the whole day and the whole night and talk about it. You can ask anything relating to that State. That is all.

SHRI V. GOPALSAMY: I would like the hon. Home Minister to tell us whether the Government is thinking to review the policy of reservation because the policy of reservation was guaranteed by late Pt. Jawaharlal Nehru. When the First Amendment to the Constitution was moved in Parliament, during the debate, Pt. Nehru gave the promise that the backward classes people would be helped, that those who are backward educationally, those who are backward socially, would be helped. This guarantee was given by Pt. Nehru. So, we should not compromise.

SHRIMATI USHA MALHOTRA (Himachal Pradesh): A point of order. Madam, this is not a debate actually.

SHRI V. GOPALSAMY: The whole issue of agitation.....

SHRIMATI USHA MALHOTRA: The Government has assured that there would be no reopening of this issue.

SHRI V. GOPALSAMY: You have not understood the problem. The whole Gujarat agitation rests on this issue. I am not talking about your party or the Government. You have not understood me properly. The whole agitation rests on this basic issue.

THE DEPUTY CHAIRMAN: Don't go out of that State.

SHRI V. GOPALSAMY: This Gujarat agitation basically rests on this isue. That is why I am mentioning that. (*Interruptions*). The Chair has permitted me I would like to know from the hon. Home Minister whether the Government is going to reconsider the reservation policy, falling pray to the conspiracy of the agitators. The agitation is spreading like a bush fire from Gujarat up to Madras. So, I would like to know what your policy is on consensus. What do you mean by consensus? Are you going to compromise the interests of the backward people? So, these are the questioins agitating the minds throughout. If you bow to the pressure, then, there will be agitation throughout the country. Then there will be counter agitation. There will be bloodshed throughout the country. The backward classes people will never allow it. That is why I would like to know this from the hon. Home Minister.

श्री सत्यपाल मलिक (उत्तर प्रदेश) : माननीया, माननीय प्रधान मंत्री जी का इस बारे में बयान हो चुका है । बहुत सफाई के साथ उन्होंने कहा है कि जो हरिजन और शेड्यूल्ड कास्ट्स के लोग हैं उनके लिए संविधान में जो पहले से व्यवस्था है उस पर कोई बहस नहीं होगी । इसलिये मैं चाहूंगा कि माननीय गृह मंत्री जी द्वारा इस बात को स्पष्ट कर दें कि उस पर कोई बहस राष्ट्रीय सहमति के तहत नहीं होगी । अब जो राष्ट्रीय सहमति का मुद्दा बचता है उसमें जो संवैधानिक गारन्टी कुछ वर्गों को दी गई है उस पर भी बहस की जरूरत नहीं है, यह मैं माननीय गृह मंत्री जी से आश्वासन चाहूंगा । आज जो यह मामला पैदा हुआ है, यह कोई साधारण घटना नहीं है । यह सिर्फ गुजरात तक ही सीमित नहीं है, हिंदुस्तान की टूट, पराजय और दासता के जितने भी कारण रहे हैं उनमें सबसे महत्वपूर्ण कारण हमारे समाज की पहली बुनियादी कमजोरी ही रही है वह गुजरात में आज जो कुछ हो रहा है उसी प्रकार की रही है । इसी कारण से हिंदुस्तान गुलाम हुआ । इस दृष्टि से यह बहुत महत्वपूर्ण मामला है । यह सिर्फ ला एण्ड आर्डर का मामला नहीं है । इसलिये यह जो सब पार्टियों के साथ मिलकर राष्ट्रीय सहमति की बात कही जा रही है इसके सम्बन्ध में क्या निर्णय किया गया है, यह मैं जानना चाहता हूं । मैं फिर इस बात को दोहरा देना चाहता हूं कि यह स्पष्ट किया जाना चाहिये कि हमारी आजादी की लड़ाई महात्मा गांधी और जवाहरलाल जी की जिस पीढ़ी ने लड़ी है और जिन्होंने हजारों सालों तक दबे हुये लोगों को ऊपर उठाने के लिये कुर्बानी दी उनके बारे में कोई नये सिरे से बहस नहीं होगी, मैं इसका स्पष्टीकरण चाहता हूं ।

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Madam Deputy Chairman, I am grateful to the hon. Home Minister for he has minced no words in telling that the situation in Gujarat is very grave at present.

I would only ask two or three small questions.

The nationalist Muslims in Kashmir ask us and I tell you they have asked several times that if this agitation in Gujarat was an agitation for reservation or anti-reservation, why it took a communal turn and why Muslims were being killed. Why Muslims are being chosen as targets? I have honestly no reply for this. I think three or four months ago there was a newspaper report in which it was written at one point of time that the Muslim shopkeepers were asked to close down their shutters when an appeal was made by some party. Since then nothing has been done. So, I would like the Honourable Home Minister to inform the House (1) about his assessment as to why this agitation took a communal turn; (2) Will he consider appointment of a judicial enquiry into this aspect only as to why this agitation has taken a communal turn.

My third question is: I read newspaper reports that some nationalist Muslims, one MLA and two Councillors were arrested under the National Security Act. These nationalist Muslims have fought communal forces in Ahmedabad for all these five months and have been nationalists since 1946. I would like to know from the Honourable Home Minister: Is it a fact that these nationalist Muslims were arrested under the National Security Act? If so, whether the Central Government approval has been obtained before they were arrested? When some other Acts like Criminal Act or anti-Goonda Act are there, why they should be arrested under NSA only? This point needs to be clarified by the Home Minister.

My last point is about compensation to the victims. I think adequate compensation should be paid to all those who have suffered. I would like to request the Home Minister to use his good offices in having these claims, of all those parties and shops which have been looted, sattled by the insurance company. I understand that out of 1500 cases only 70 odd cases have been settled during these five months with the insurance company. I request the Home Minister once again to use his good offices in having these cases settled by the insurance company, because the General Insurance Company is a nationalised institution.

I want the Minister to reply my above questions during his observation.

श्री हुक्मदेव नारायण यादव (बिहार) : उपसभापति महोदय, मैं सरकार से यह जानना चाहता हूं कि अभी माननीय सदस्य श्री सत्यपाल मलिक ने जिस प्रश्न को उठाया, यह केवल गुजरात का सवाल नहीं है। गुजरात हो, मध्य प्रदेश हो, बिहार हो, उत्तर प्रदेश हो, इस रिजर्वेशन, आरक्षण के ऊपर राज्य मे कहीं न कही पर वहम मुवाहिसा होता है और इससे हिंसा और प्रतिहिंसा की भावना उठती है। संविधान में हमें सुरक्षा की भावना दी गई है और संविधान में एक प्रावधान निश्चित किया गया है। संविधान में आपने लिख दिया लेकिन फिर राष्ट्रीय सहमति का प्रश्न क्यों उठता है? उस राष्ट्रीय सहमति के सवाल को उठाते समय क्या सरकार के मानस में यह बात है कि नहीं कि आजादी की लड़ाई के दिनों में महात्मा गांधी और डाक्टर अम्बेडकर के बीच में एक राष्ट्रीय सहमति बनी थी। उनके समय में जो राष्ट्रीय मुसलमान थे, मौलाना अबुल कलाम आजाद इत्यादि, उनके साथ, जो हिन्दू नेता माने जाते थे, उनकी एक सहमति बनी थी। साथ ही हिन्दुस्तान के अन्दर जो दलित तथा पिछड़े समुदाय के लोग थे उनके साथ भी एक सहमति बनी थी कि आजाद मुल्क में उन लोगों के साथ क्या व्यवहार होगा और उन्होंने महात्मा गांधी और अन्य नेताओं के साथ कुर्बानी दी थी। उस समय जो सहमति बनी थी तो क्या उस सहमति को आप, जो लिखित नही है, समाज के अंदर जो संबंध बनते हैं, उनको कागज पर लिखा नही जाता राष्ट्र को बनाने के लिए जो आन्तरिक सहमति बनती है, जिसके आधार पर राष्ट्र का जीवन चलता रहता है और उसको जीवन और प्राण मिलता है, तो मैं सरकार से जानना

[श्री हुक्मदेव नारायण यादव]

चाहता हूं कि उस राष्ट्रीय सहमति को जो तोड़ने वाले हैं उनका मुकाबला करने के लिये, और उस सहमति को बरकरार रखने के लिये क्या सरकार तैयार रहेगी ?

दूसरा, गुजरात के अंदर चाहे जहां कहीं भी हो, किसी भी पार्टी के जरिय चुनाव के समय जब एक इश्यू उठाया जाता है कि हमारा यह चुनाव घोषणा-पत्र है और इसके आधार पर हमको वोट दो । गुजरात में चाहे वह कोई भी पार्टी हो लेकिन जब उसने कहा कि 18 प्रतिशत हम आरक्षण बढ़ायेंगे अगर हम सत्ता में आ गये । वह चाहे किसी भी पार्टी की सरकार हो मैं इसके लिये उस पार्टी को बधाई देता हूं। चाहे वह कांग्रेस पार्टी हो, चाहे सोलंकी या अर्जुन सिंह हो, उन्होंने पिछड़े वर्ग के लोगों को ऊपर लाने के लिये कदम उठा , ऊंचे और द्विज घर में पैदा होकर भी पिछड़े वर्ग के लोगों के उत्थान के लिए कदम उठाये मैं इसके लिये उनको व्यक्तिगत रुप से उनके इस साहसपूर्ण कदम की सराहना करता हूं और चाहता हूं कि ऊंची जाति के और लोग आगे आयें जो हिन्दुस्तान की पिछड़ी जातियां, हरिजनों और आदिवासियों का विश्वास प्राप्त करें और प्रशासन को स्वच्छ बनाकर उन लोगों का विश्वास प्राप्त करें जैसे कि पंडित नेहरु ने समाज के सब लोगों का विश्वास प्राप्त किया था। उन्होंने जो गारंटी दी, चुनाव घोषणा-पत्र में जो वायदा किया उस समय वोट ले लिया और वोट लेने के बाद आ गये जो एंटी रिजर्वेशन आन्दोलन चलाने वाले उस समय कहां थे, किस जंगल में छिपे हुए थे, यह कहीं न कहीं समाज को तोड़ने के लिए षडयंत्र है । मैं अपनी बात खत्म करते हुए सरकार से निवेदन करना चाहूंगा कि उसे जले पर नमक मत छिड़को, घाव को ताजा मत करो, कमजोर को कमजोर मत समझो हिन्दुस्तान के दबे हुए शोषित हरिजन आदिवासी और पिछड़े वर्गों और अब अल्प संख्यकों को किसी तरह से अगर कमजोर समझोगे तो प्रशासनिक सत्ता जिनके हाथ में है पोलिटिकल और एडमिनिस्ट्रेटिव पावर जिन मुठ्ठी भर लोगों के हाथ में इकट्ठा हो गई है अगर वे अपने मनोनुकूल या अपने मन की बात लादना चाहते हैं जबरदस्ती हम को फोर्स करना चाहते हैं तो हो सकता है कि इस भारत को जो अखण्ड बनाने का सपना है जो हमारे राष्ट्रीय नेताओं ने देखा था उसको अगर तोड़ेंगे तो उसकी जिम्मेदारी उन लोगों पर होगी जो आरक्षण विरोधी आन्दोलन चला रहे हैं। हम लोग कमजोर हैं, संविधान के अन्दर जो अधिकार हमें दिये गये हैं वे हम मांगते हैं। नेहरु, पण्डित गोविन्द बल्लभ पन्त और गांधी ने जो उस समय राष्ट्रीय सहमति बनाई थी वही आधार है राष्ट्रीय सहमति का न कि जो अब राष्ट्रीय सहमति बनेगी वह राष्ट्रीय सहमति होगी ।

उपसभापति : वाघेला जी, आप संक्षेप में बोलिये ।

श्री शंकर सिंह वाघेला (गुजरात) : उपसभापति महोदया, गुजरात महात्मा गांधी का गुजरात, सरदार पटेल का गुजरात, आज के प्रधान मंत्री हमारे राजीव गांधी के पिता जी फिरोज गांधी का गुजरात, मैडम आपका गुजरात, ...**(व्यवधान)** चार पांच महीनों से..**(व्यवधान)**

उपसभापति : मेरा पूरा हिन्दुस्तान है। **(व्यवधान)**..

श्री शंकर सिंह वाघेला : गुजरात का मामला है इसलिए गुजरात की ही तो बात कह रहा हूं। गुजरात मेरा है अपनी शान्ति के लिए अहिंसा के लिए व्यापार उद्योग के लिए । **(व्यवधान)** अच्छा है तीन चार दिन से शांति है । मैं यह चाहता हूं कि शांति बनी रहे । लेकिन गुजरात में 1974 में जब नव-निर्माण आन्दोलन शुरू हुआ, उस समय कांग्रेस के मुख्य मंत्री चिमन भाई पटेल थे । उस समय नवनिर्माण एजीटेशन कर के उनको निकाला था निकालने में आप लोग थे । निकालने में हम लोग भी थे। आज 10-11 साल साल के बाद जो मुख्य मंत्री गुजरात के थे जिन्होंने गुजरात में समाज को तोड़ा

हिंसा की खुली छट दी, हिन्दु मुसलमान दंगे करवाए इनको फिर से निकाल कर के दूसरे मुख्य मंत्री 20–25 दिन से बैठे हैं इनके राज्य में गुजरात शान्त होता जा रहा है, अच्छा है । माननीय प्रधानमंत्री 23 मार्च को अहमदाबाद पधारे इन्होंने छोटे से दंगे देख कर कहा था कि इसमें अपोजीशन का हाथ है । मेरे पास एक पेपर है जिसमें माननीय गृह मंत्री जी आप के केन्द्रीय गुप्तचरों की रिपोर्ट है, यू० एन० आई० का रिपोर्ट है, यह वीर अर्जुन सांध्य दैनिक का रिपोर्ट है कि गुजरात में हिंसक दंगों में कांग्रेसियों का हाथ, राज्य से बाहर के गुंडे बुलाये गये । यह एक गुप्तचर संस्था का रिपोर्ट है। क्या आपको इस के बारे में मालम है ? आपकी गुप्तचर संस्था का रिपोर्ट यह है. . . (**व्यवधान**)

श्री विठ्ठल भाई मोतीराम पटेल : (गुजरात) : आपकी पार्टी वालों की लीडरशिप में है (**व्यवधान**)

श्री प्यारेलाल खंडेलवाल : (मध्य प्रदेश) : सोलंकी का हाथ है, यह क्यों नहीं बोलते हैं। (**व्यवधान**)

श्री शंकर सिंह वाघेला : मैं अब स्टेटमेंट पर आता हूं । इसमें बार बार कहा गया है कि क्या हो रहा है, कैसे हो रहा है, मैं एग्रीमेंट की बात पर आता हूं... (**व्यवधान**)

उपसभापति : आप सवाल पूछिये । इसके अलावा आपकी कोई बात रिकार्ड पर नही आएगी ।

श्री शंकर सिंह वाघेला : मैं गुजरात से आता हूं और मुझ को ज्यादा पता है दूसरे मैम्बरों को शायद ज्यादा मालूम नहीं हो। इस स्टेटमेंट में जो कहा गया है, लेकिन कई बातें ऐसी हैं जिनका कोई जिक्र नही किया गया है। जैसे कि एग्रीमेंट की बात है जब सोलंकी चीफ मिनिस्टर थे तब यह एग्रीमेंट हुआ था जिसमें 18 परसेंट जो आपने बढ़ाया था वह निकालने की बात हुई थी । चुनाव में बोट लेने के लिए 18 परसेंट ओ० बी० सी० के लिए बढ़ा कर इसको छोड़ कर दूसरे लोगों को खुश करने के लिए फिर एग्रीमेंट में 18 परसेंट वापिस लेना. . एक एजीटेशन समाप्त हुआ जो स्टूडेंट और वाली महामंडल का था, दूसरा रिजरवेशन रोस्टरों के खिलाफ 50 दिन से एजीटेशन चला आता है इम्प्लाईज आफ गुजरात स्टेट का और दिन ब दिन हड़ताल में घिरने वाले लोग बढते है । पहले इसके पीछे भी एग्रीमेंट हुआ था क्या आपको पता है कि गुजरात गवर्नमेंट और स्टेट इम्प्लाईज के बीच में एग्रीमेंट हुआ था । एग्रीमेंट होने के बाद गवर्नमेंट आफ गुजरात के गजेट में जो वर्ड इन के थे, उनके बजाय दूसरे वर्ड इगस्तेमाल करके कर्मचारियों को बिट्रे किया था, जिससे फिर से एजीटेशन चल रहा है गुजरात गवर्नमेंट और वाली महामंडल के बीच में जो हुआ उसमें चौथा मुद्दा रह जाता है मेडिकल और इंजीनियरिंग कालेज में सीट के कोटे के बढ़ाने का जो आपने कहा था । आपने पाइंट 7 में कहा है । कम्यूनल वायोलेंस एण्ट फीक्वेंट अटैक्स आन पुलिस । क्या यह सच है कि वहां के डाइरेक्टर जनरल रिबेरो पर भी अटैक हुआ था इसमें और भी आगे लिखा था "ड्यू टु स्टैबिग्स एण्ड ड्यूटु अदर रीजन्स" । अगर रीजन्स में क्या प्राइवेट फाईरिंग्स हुई थी । इसका भी आपके पास कोई रिकार्ड है कि प्राइवेट फायारिंग्स मे लोग मरे . . . (**व्यवधान**)

THE DEPUTY CHAIRMAN: You need not read the names. Yes, Mr. Sinha.

श्री शंकर सिंह वाघेला : पाइंट न. . . (**व्यवधान**) इसमें आपने लिखा है प्राइवेटिव अरेस्ट आफ एण्टी सोशल एंण्ड क्रिमिनल एलीमेंट्स । इसके बारे में मैं कहना चाहता हूं कि तीन वाली पकडे गये हैं । रंग वाला, कारपोरेटर, रसूल भाई, दूध वाला कारपोरेटर और अभी माननीय सदस्य ने जिक्र किया और गुलाब बाई, फार्म वाला और एक्सएम० एम० ए० बारेजिया था क्या इनको आपने एण्टी सोशल एलीमेंट समझकर अरेस्ट किया है या ये कांग्रेस "आई" के वर्कर्स हैं, इसलिए इनको अरेस्ट किया है और जिनका जिक्र इनके साथ मिला हुआ है

THE DEPUTY CHAIRMAN: You need not read the names. Yes, Mr. Sinha.

श्री शंकर सिंह वघेला : खुद वे राज्य के भूतपूर्व होम मिनिस्टर रहे हैं, इनके बारे में रिपोर्ट यह है कि वे अमेरिका चले गये हैं । हमारे यहां रिपोर्ट यह है कि वे यहां हैं । इसमें भी आप कोई कदम उठाने वाले और आखिर में जो सबने बात कही नेशनल कान्सेंसस की . . .

THE DEPUTY CHAIRMAN: No, nothing will be recorded. Yes, Mr. Sinha.

SHRI SHANKER SINH VAGHELA:*

THE DEPUTY CHAIRMAN: Mr. Vaghela, nothing is being recorded.

SHRI SHANKER SINH VAGHELA:

SHRI INDRADEEP SINHA (Bihar): Madam Deputy Chairman, I rise to associate myself with the appeal made by the Home Minister for restoration of peace and amity in Gujarat and eschewing of all forms of violence. But I beg to submit that despite that appeal, the problem persists and that an appeal is not enough. Therefore, I would like the Home Minister to make a categorical declaration, number one, that in regard to the reservations which have been provided for in the Constitution, that is, reservations for the Scheduled Castes and Scheduled Tribes, there is no question of reviewing or reconsidering them, because.....

AN HON. MEMBER: It has already been declared.

SHRI INDRADEEP SINHA: That is all right. Let him declare again that these reservations will continue because doubts have been raised. Secondly, the question of resrvations for other backward classes also has certain social, political and economic justification and it is under discussion in the country. Tempers have been roused: violence has been generated. Therefore, it is very essential for the nation as a whole or for different political parties to come to some sort of a national consensus about reservations for what are known as the OBC.

I would just request the honourable Home Minister to make a clarification here as to what his Government proposes to do to evolve that national consensus because we are hearing about this national consensus but no steps have been taken or no steps have been proposed, there has been no discussion with us. Thirdly, even an increase in reservation is not going to solve the fundamental problem, as my friend, Mr. Dipen Ghosh, pointed out; so I would like to know whether the Government is thinking of taking the Opposition into confidence about certain other measures, particularly in the field of reform of the economic and social system, so that justice is done to those to whom it has been denied justice for thousands of years.

(*Interruptions*)

SHRI P.N. SUKUL (Uttar Pradesh): Madam Deputy Chairman, at the very outset I wish to congratulate the new Chief Minister of Gujarat. Shortly after his appointment the anti-reservation stir has come to a halt and it is indeed good that the Chief Minister has also taken certain measures to assuage the feelings of those concerned with the movement. Unfortunately it is a complicated situation that we find in Gujarat. On the one hand there is the anti-reservation stir by the people, by the Vali Mahamandal and the Navrachana Samiti. Then there are the communal disturbances, as mentioned by the honourable Home Minister, and then the agitation of the Government employees. All these three kinds of agitations have been going on in Gujarat. I do not know why these three kinds of agitations have been mentioned in the same statement. Has there been any nexus between the ant-reservation stir and the communal disturbances or the employees' movement ? I would like to know from the honourable Minister if the anti-reservation stir has had a direct bearing upon the communal disturbances or on the employees agitation that have taken place in Gujarat. Secondly, I would like to know what the Government is doing to satisfy the genuine demands of the State Government employees in Gujarat. Are they considering their demands? Do they

* Not recorded.

propse to hold negotiations with their accredited leaders? What are they doing to satisfy the employees' demands? Thirdly, in some papers it was published that certain goondas and unsocial elements had been hired from other States to be used in Gujarat to indulge in looting and arson. I would like to know whether this is correct or not. Fourthly. I would like to know whether the reconsideration of the reservation policy as proposed by the Government as mentioned in the statement is only for Gujarat or it is for the whole of the country so that there may be uniform policy throughout the country. And fifthly, in the end, I would also like to know what compensation is proposed to be paid to the next of kin of those who lost their lives or to those whose properties have been damaged. Thank you.

SHRI CHIMANBHAI MEHTA (Gujarat): Madam Deputy Chairman, this morning I came from Gujarat. I am from Gujarat. I would like to know the honourable Home Minister's assessment of the situation in Ahmedabad and other towns. Since the last three days the situation is almost returning to normal in Ahmedabad and it is coming to normal in other towns also. And, Madam, that is a sign, a very good sign and it is a healthy sign. To help that situation, we are supposed to give some sort of a reaction and to give our comments and this is what I would like to bring to the notice of the honourable Home Minister.

Secondly, Madam the new Chief Minister has taken over the reins of the Government only twenty days back and within three weeks normalcy has almost returned in Gujarat. Moreover, on a very vital issue, Madam, a settlement has been arrived at and let no one try to jeopardise this settlement because, on the reservation issue, which is a very sensitive issue, a very well-accepted settlement has been arrived at.

Now, Madam, somebody is raising the question that we are going back on what we promised during the elections. It is not correct. During the elections, Prime Minister Rajiv Gandhi had declared at Bhopal that there should be a national consensus on this issue and the people of Gujarat have voted according to Mr. Rajiv Gandhi's declaration also. So, there is no going back. We have adhered to what we have said and the ex-Chief Minister, Shri Madhavsinh Solanki also has stated that the agitation can be withdrawn till the time of the national consensus and there is no question of going back at all. Now, who created problems in Gujarat? (*Time bell rings*).

THE DEPUTY CHAIRMAN: Your two minutes are over now.

SHRI CHIMANBHAI MEHTA: Madam, Choudhury Brahm Prakashji, Ram Paswanji and Karpoori Thakurji have said that there will be a civil war if these agitations continue. Now, talking of a civil war and then talking of peace and of national interests do not go together, Madam. Only the US agencies are interested in creating a civil war in India on caste basis and on the reservation issue. Even the Supreme Court recently gave a judgement that there has to be an economic criterion for reservations and, therefore, there is no question of going back. A national debate is going on and the Gujarat Government has taken a very good step under the leadership of the tribal Chief Minister in a non-tribal State, Shri Amarsinh Chowdhury, who is doing very well. Please support him. Madam, I support what the honourable Home Minister has said in the last para of his statement wherein he has said that conciliatary process is going on. Let the House support the Gujarat Government and the new tribal Chief Minister in a non-tribal State. It is only the Congress (I) has sponsored tribal leader as the Chief Minister and situation is returning to normalcy under his leadership which also serve the backward classes, Let them also take note of this, Madam.

THE DEPUTY CHAIRMAN: Yes, Mr. Minister.

SHRI VISHWA BANDHU GUPTA (Delhi): Madam, only one point I want to make (*Interruption*).

THE DEPUTY CHAIRMAN: This is not a debate, you see.

SHRI VISHWA BANDHU GUPTA: Only one point, Madam, (*Interruptions*).

THE DEPUTY CHAIRMAN: I think your point has been covered by Mr. Dhabe.

SHRI SUSHIL CHAND MOHUNTA: Madam, this is a very important matter.

THE DEPUTY CHAIRMAN: Mr. Mohunta, are you running the House or am I running the House? (*Interruptions*)

SHRI SUSHIL CHAND MOHUNTA: I was making only a suggestion.

THE DEPUTY CHAIRMAN: I think I can run the House without your suggestion. (*Interruptions*).

SHRI V. GOPALSAMY: Why are you so much angry today, Madam? (*Interruptions*).

THE DEPUTY CHAIRMAN: Somewhere we have to draw a line, you see.

SHRI PARVATHANENI UPENDRA: I think you are in a state of tension.

THE DEPUTY CHAIRMAN: Really?

SHRI VISHWA BANDHU GUPTA: Madam, I want to make only one point. I would request the honourable Minister to speak about the Press also.

THE DEPUTY CHAIRMAN: Yes, Mr. Minsiter.

SHRI S. B. CHAVAN: Madam, some of the honourable Members asked me as to what provoked me to make this statement, this kind of a statement, in this House. The fact of the matter is that in the lower House I was asked to make a statement and having made the statement in the Lok Sabha, it would have been unfair on my part not to make a similar kind of statement in the Rajya Sabha and that is why I have made this statement here without your asking.

Madam, I do not think that there was any other reason for making this kind of a statement, especially in the context of the situation now prevailing in Gujarat, as one of the honourable Members has just now said. He has said that during the last three days we are seeing normalcy is fast returning, and we hope that with the cooperation of the honourable Members and the different sections of the people, it should be possible to bring normalcy in Gujarat.

I have not been able to understand, I really fail to understand, why the agitation should have been continued by some of the people after having reached an agreement, an agreement on most of the issues which they were agitating for and the Gujarat Government having conceded that a judicial inquiry will be conducted. All issues which led to violence are going to be entered into by a judicial commission. There is no reason why some of the people who are continuing their agitation, unless they have some other issue at their heart except the issue of reservation, should continue. I think if...

SHRI VITHALBHAI MOTIRAM PATEL: There is a dispute in the distribution of funds collected during the agitation. (*Interruptions*) They continue the. .... (*Interruptions*)

SHRI RAOOF VALIULLAH (Gujarat): It was our Shankerbhai Patel, President of the Vali Maha Mandal who gave Rs. 5 lakhs which the splinter groups of the agitationists collected. (*Interruptions*)

SHRI S. B. CHAVAN: It will be very difficult for me either to confirm or deny this kind of allegation which has been made. The hon. Members are making this allegation. I do not have any information at my disposal at this point. So I cannot confirm or deny even what they have referred to.

SHRI J. K. JAIN (Madhya Pradesh): You can make an inquiry.

SHRI S. B. CHAVAN: It is very difficult. This is an internal matter as to what funds have been collected and who has kept with him.

SHRI VITHALBHAI MOTIRAM PATEL: The agitation leaders have themselves uttered in the conference that this much money has been collected.

SHRI S. B. CHAVAN: This has no relevance to the statement which I have made.

AN HON. MEMBER: The Minister should know that some people have continued their agitation even after a judicial inquiry has been ordered.

SHRI S. B. CHAVAN: It was obvious to me from the very first day, I must tell you. Some people are interested in continuing the agitation, giving it a communal colour. This is a very unfortunate part of it. But I think it will be in the fitness of things in the context of this statement if I go on to add something which naturally some hon. Members may not like. But there are elements who are interested in creating a kind of disorder which most of the Members of the House would not appreciate.

Madam, a question was asked: is there any kind of re-thinking on the part of the Government on the entire issue of reservation? Hon. Member Shri Indrajit Gupta ... (*Interupptions*) I am sorry, Mr. Sinha went to the extent of saying that there are apprehensions in the minds of some hon. Members and also outside that there is a rethinking on the entire issue of reservation even to the extent of Scheduled Castes and Scheduled Tribes. The hon Prime Minister has made it absolutely clear, and I have also made the position absolutely clear in this House and also in the other House, that so far as the reservation for Scheduled Castes and Scheduled Tribes is concrened, there is no question of any rethinking about it. (*Interruptions*) We stand firm on the constitutional guarantee that we have given to the Scheduled Castes and Scheduled Tribes. On the issue of other Backward Classes, the hon. Prime Minister also made a statement that unless national consensus is involved, it is going to be a very controversial issue. One could see what heat was generated by hon. Members in asking all kinds of questions in the debate. That reflected the feelings of different sections of the society. There might be a very legitimate case for giving reservation to the other Backward Classes, but unless we reach some kind of consensus it will be very difficult if unilaterally some of the State Governments were to announce something and later on by some other factors if they are forced to withdraw the increase in reservations. It is now very easy for us to say that the Congress party, having promised certain things during the elections are now going back. I thinks if the Gujarat Government had not withdrawn it, hon. Members would have said that democratic functioning requires that the aspirations and feelings of the people need to be taken into account. On the other hand, they say that this was also the promise which was given at the time of elections and now you are going back. I think both the things have been said by different sections. We should try to understand and appreciate the difficult situation which the Gujarat Government has been facing for some time, I must say that the new Chief Minister who has taken over has successfully defused the situation by not standing on prestige. It was, in fact, a very bold kind of attitude which he adopted. They appointed two Cabinet Sub-Committees to discuss both with the Government employees and also with the agitators to find out as to how best they could meet their demands. I must say that it was very unfortunate that after reaching the agreement, one section of the agitators did not accept the agreement that was reached. We are concerned more about the communal aspect of it. In fact, a communal tinge has been given to the entire agitation and we feel very sorry that those who are indulging in this kind of agitation or restoring to these methods do not see any reason. I have requested the hon. Chief Minister and others that they should not show any leniency as far as communal matters are concerned and that they should put them down with a heavy hand. There can be no compromise on this issue. Even if the people were to indulge in communal violence even for their legitimate claims, I think this is the last thing we can possibly put up with. We cannot possibly tolerate any kind of communal situation being aroused by people who are interested in seeing that somehow or other the Gujarat

[Shri S. B. Chavan]

Government should be brought down by this method or that method. One hon. Member could not resist saying even in this House that the constitutional machinery has totally failed in Gujarat and that we must impose Presiden's rule there. I can understand his feelings. That was the reason why the whole thing was started.

SHRI SUSHIL CHAND MOHUNTA: Normalcy would have returned to Gujarat in no time. If you could have President's rule in Punjab, there is no reason why you should not clamp President's rule in Gujarat where there have been more casualities in a shorter time.

SHRI S. B. CHAVAN: I know the implication of what the hon. Member has been saying. Though I wanted to desist from saying it, still I thought it necessary that I should make a mention of it so that other Members of the House are also informed that the matters are not that simple. It is not merely the question of reservation for other backward classes. There are other aspects involved. That is why, instead of reaching an agreement, things are allowed to continue and to deteriorate by sections who are interested in not reaching a settlement, but in imposing the President's rule in Gujarat.

Madam, about the consensus which needs to be evolved, hon. Members have been asking that though this has been stated so many times, they have not yet heard when they are going to be called. I think very soon the hon. Members will come to know as to what we propose to do and how we propose to evolve a consensus without any delay because we know that the delay is going to create a problem which normally we would like to avoid as far as possible. There are enough issues and we are trying day after day to solve those issues. We do not want anything to be added to the issues which are already existing. That is why, unless we were to have some kind of a national consensus on this very important issue, it will be very difficult to go ahead with the reservation for other backward classes. That is why I have requested all the Chief Ministers not to go ahead unilaterally, but wait till a national consensus is evolved. Madam, an issue was raised about paying compensation to the relatives of or those who have suffered either because of the agitation or police firing. In fact, the Gujarat Government have been very alert on this issue. According to the norms which are prevailing they are trying to pay them gratuitous relief and other rehabiltation grants which are required.

SHRI S. W. DHABE: What about the damage to the property?

SHRI S. B. CHAVAN: The norms are very well prescribed and the Gujarat Government is one of the very efficient Govments. There is no doubt about it. And that is why all the norms which have been prescribed by them will be fully implemented. And those who have suffered either because of communal disturbances or because of the agitation, either loss of life or property, all of them will be rehabilitated according to the norms which are prevailing.

SHRI RAOOF VALIULLAH: What about the assistance from the financial institutions? The Gujarat Government is doing its best. What about the financial institutions under the Union Government?

SHRI S. B. CHAVAN: I am just coming to that point which hon. Member, Mr. Matto, has also raised a point. And that was about some of the companies or some firms which had registered themselves with the LIC. I think, they will be entitled for for the amount of compensation from the Life Insurance Corporation. Certainly we will take up this issue with the Life Insurance Corporation and see that matters are being expedited. If they are entitled for the same, certainly they will be expedited. I will specially request my hon. colleague in the Finance Ministry to personally look into the mater and see that the whole thing is clinched at the earliest. Madam, these were the broad issues.

THE DEPUTY CHAIRMAN: About the press you have not answered.

SHRI VISHWA BANDHU GUPTA: About the Opposition colluding with the press to keep the fire burning.

SHRI PARVATHANENI UPENDRA: It is an insinuation on the press.

SHRI S. B. CHAVAN: I think the press by and large, has co-operated very well. But...(*Interruptions*)...there have been exceptional cases everywhere. So, there might be exceptions in Gujarat also.

About the demands of the Government employees, I don't think that it will be possible for me to give you all the information. Actually, the whole thing was settled with them. And now some of the people say that having agreed to a certain formula, while notifying the same in the gazette, there has been some kind of a discrepancy between what has been agreed to and the way it has come in the notification. But these are matters which, in fact, they will have to take up with the Cabinet Sub-Committee of the Gujarat Government. I don't think that we can possibly clarify on any of the issues so far as the this problem is concerned. I think, the new Ministry are tackling the whole issue in a very well way, and at least I do ont have any doubt in my mind that they will not succeed in solving the rest of the problems provided there is a well and mutual understanding of approaching the problems with a view to solve it. The Gujarat Government is sincerely trying its level best. At least, I have no doubt about it. And I will request all sections of the House and those who are agitating for the last few months that they will no unnecessarily create a problem and complicate the issue and specially avoid communal kind of violence to the extent it is possible. I hope that all the hon. Members will join me in making a fervent appeal to all sections in Gujarat to see that normalcy is being restored at the earliest.

REFERENCE TO THE NEED TO FILL UP THE VACANCIES OF JUDGES IN VARIOUS HIGH COURTS

THE DEPUTY CHAIRMAN: Now, we take up Special Mentions. Shrimati Sushila Rohatgi—not here; Shri Virendra Verma.

श्री वीरेन्द्र वर्मा (उत्तर प्रदेश) : माननीय सभापति महोदय . . .

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Just a minute. Madam Deputy Chairman, I have a Special Mention to make relating to the Minister of State for Home Affairs, Mrs. Sinha. I would request you either to give me a chance now or request her to stay on. That will give her the benefit of whatever I have to say.

SHRI DIPEN GHOSH (West Bengal): Madam Deputy Chairman, the fact is that Mr.Upendra is to make a Special Mention in connection with a statement made by the Minister of State for Home Affairs while touring Andhra Pradesh.

So, would you please request the Minister of State for Home Affairs or the senior colleague to stay back in the House. (*Interruptions*).

SHRI PARVATHANENI UPENDRA. Madam, it is a coincidence that they are here. I would like to give them the benefit of hearing what nice things I have to say. I could request my colleague, Shri Virendra Verma, to wait and speak later. (*Interruptions*).

THE DEPUTY CHAIRMAN: Mr. Virendra Verma, you please continue. It is for the Chair to decide. Whatever you speak, you will get the reply. (*Interruptions*)... You cannot change the dure of the House.

SHRI PARVATHANENI UPENDRA: You may kindly request her to say in the House. It is for her to stay or not to stay.

THE DEPUTY CHAIRMAN: Mr, Verma, you please continue.

श्री वीरेन्द्र वर्मा : माननीय डिप्टी चैयरमैन महोदया, आप और पूरा सदन, सदन के सभी माननीय सदस्य सहमत होंगे कि जस्टिस डिलेड इज जस्टिस डिनाइड । आज हिन्दुस्तान के सभी हाई कोर्ट्स में 11,06,053 केसेज पेंडिंग हैं और हिन्दुस्तान के हाई कोर्टस में 67 जजों के स्थान रिक्त हैं । क्या माननीय महोदया, 11 लाख से अधिक केसेज संसार के किसी एक देश में अनिर्णीत पड़े